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Application Number **10/032,127**

Filing Date **December 20, 2001**

First Named Inventor **Anthony J. P. O'Toole**

Confirmation No. **6972**

Group Art Unit Number **2661**

Examiner Name **Not yet known**

Total Number of Pages in This Submission

4**

Attorney Docket Number **21676-06533 (CT4)**

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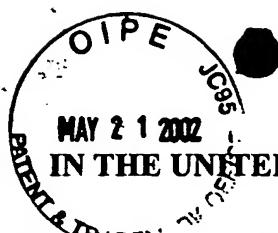
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21676-06533/SF/5074931.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Anthony J. P. O'Toole et al.

APPLICATION NO.: 10/032,127

FILING DATE: December 20, 2001

TITLE: Dynamically-Assigned Voice and Data Channels in a Digital-
Subscriber Line (DSL)

CONFIRMATION NO: 6972

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EXAMINER: Not yet known

MAY 28 2002

GROUP ART UNIT: 2661

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INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not

more than three months prior to the filing of this Statement; or

no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR

after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. 09/124,333, filed on July 29, 1998, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
ANTHONY J. P. O'TOOLE, FARAJ AALAEI

Dated: 5/7/02

By: Robert A. Hulse
Robert A. Hulse, Reg. No.: 48,473
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (415) 875-2444
Fax.: (415) 281-1350

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